

MINUTES OF THE HOUSE COMMITTEE ON HEALTH AND HUMAN SERVICES.

The meeting was called to order by Chairperson Garry Boston at 1:30 p.m. on April 1, 2002 in Room 210, Memorial Hall

All members were present except: Representative Peggy Long, Excused
Representative Peggy Palmer, Excused
Representative Dale Swenson, Excused
Representative Jonathan Wells, Excused

Committee staff present: Dr. Bill Wolff, Kansas Legislative Research Department
Emalene Correll, Kansas Legislative Research Department
Renea Jefferies, Revisors of Statute's Office

Conferees appearing before the committee: John Federico
Jane Murray, M.D.
Terry Miken
Mehdi Khosh, N.D.
Dr. Michael J. Randles, M.D.
Melva Traiman
Robin Goff, R.N.
Jeannie Drisko, M.D.
Charles Magruder, M.D., MPH, Director/Health Officer, Sedgwick County Health Department

Others attending: See Attached Sheet

The Chairman stated due to a family emergency Senator Susan Wagle was not here at this time and will try to accommodate her if she does arrive during the meeting. There are 9 conferees speaking in favor of **SB 610** and ask that the testimony be limited to 5 minutes or less. If each of you could be as brief as possible, and not repeat what conferees have said before you, we will try to get through the entire list of conferees. Normally, we allow any number of questions but am going to ask committee members to try to be as brief as possible and keep your questions to their two best and no rolling questions where one leads to a dozen others. Please check with me on each question because am going to be very diligent in trying to make sure everyone is heard.

The Chairman opened the hearing on **SB 610 - Naturopathic doctor licensure act.**

John Federico, a proponent, representing the Kansas Naturopathic Physicians Association, asked the board members to stand up. This is not a large association. Why did we bring **SB 610** forward? We are of the opinion that it is time for licensure of naturopathic physicians practicing in the state of Kansas. They went through the credentialing process. This has been a very long process. They were in front of the Senate public health and welfare committee last year and they required naturopaths go through the credentialing process. It was a long, difficult and costly process. It was recommended by the Secretary of Health and Environment that they be granted licensure. There have been some compromises in **SB 610** where others had concerns. There are still some unresolved issues. The objective is to have a fair hearing and a vote. Some of the concerned parties are: The Kansas Legislature, Kansas Board of Healing Arts, Kansas Public Health Association, Kansas Department of Health and Environment, Health Food Stores/Nutritional Counselors, Health Insurance Industry, Legislative Research/Revisors, Kansas Chiropractors Association, Kansas Association of Osteopathic Medicine and the Kansas Medical Society. The compromises and restrictions are: immunizations, major surgery, minor surgery, obstetrics, use of "physician", closed formulary, emergency medicine, credentialing and "naturopath". The issues unresolved are: scope of practice, formulary and I.V. therapy.

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Mr. Federico further stated that the group he represents has met the concerns of the various industries and parties involved including the health insurance industry regarding reimbursement issues and whether licensure required reimbursement. Mr. Federico stated that the proponents are not interested in reimbursement and that this has nothing to do with reimbursement (Attachment 1).

Jane L. Murray, M.D., a proponent to **SB 610** stated she was a conventionally trained M.D. with over 20 years of clinical, teaching and administrative experience. The American public, including many Kansans, are seeking health care options from many complementary providers. Often, finding quality care and advice from well-educated, trained practitioners is difficult in an environment where standards in the form of licensing and credentialing are not clarified. Currently, many types of individuals refer to themselves as “naturopaths”, “traditional naturopaths”, “NMD’s” and other confusing titles. Some of these individuals are licensed in other health care professions, such as chiropractic and dentistry. Many are self-taught, or have taken weekend seminars or internet courses offering “degrees” in naturopathic medicine. A few have actually graduated from four year, full time schools of naturopathic medicine, with a standardized curriculum, supervised clinical experience and national board examinations. How is a potential patient to distinguish a fully trained naturopath from the others?

Those who have completed the full four years of standardized, graduate, doctoral education in naturopathic medicine deserve to be recognized they be eligible for licensure (Attachment 2).

Terry Mikan, a patient of Dr. Mehdi Khosh, testified in support of **SB 610**, stating he was diagnosed with dermatomyositis which is a chronic connective tissue and autoimmune disease. A Mayo Clinic rheumatologist determined this was drug induced. He had been prescribed Baycol to lower his cholesterol which possibly triggered his disease. After seeing Dr. Khosh all symptoms improved (Attachment 3).

Mehdi Khosh, testified as a proponent to **SB 610**, stating naturopathic physicians like allopathic physicians, receive 4 years of post baccalaureate education culminating in a doctoral degree. A licensed naturopathic doctor (N.D.) attends a four-year graduate level naturopathic medical school and is educated in all of the same basic sciences as an M.D., but also studies holistic and nontoxic approaches to therapy with a strong emphasis on disease prevention and optimizing wellness. Licensed naturopathic physicians must fulfill state-mandated continuing education requirements annually, and will have a specific scope of practice defined by their state’s law (Attachment 4).

Michael J. Randles, M.D., testified in support of **SB 610**, stating the healing arts act is only one of many laws in Kansas that authorize the state to examine the credentials of, and monitor the professional activities of highly trained professionals. The real question that the legislature should be considering is why the state is NOT already protecting the citizens of Kansas by verifying the credentials of persons alleging to be so trained, and monitoring their professional activities. M.D.’s who are genuinely concerned about the quality of care of Kansans should not be as concerned about decrying the discipline of naturopathy, but rather should be concerned about the quality of training, credentials, and ongoing quality of practice of both M.D.’s and naturopathy, and work to assist the Board of Healing Arts to monitor both disciplines (Attachment 5).

Melva Tremaine, testified as a proponent to **SB 610**, stating as a citizen of Kansas, there should be a choice concerning health care. Ms. Tremaine made the choice 7 months ago to seek services of a naturopathic physician after exhausting options in the health care field and has been extremely pleased with the care received from a naturopathic physician (Attachment 6).

Robin Goff, R.N., BSN, MAV, is a proponent for **SB 610** and a nurse educator which provides education for health care professionals and the general public about the integration of conventional, complementary and alternative medicine (CAM). Health care professionals have not been educated about the use of treatments like herbal remedies, homeopathy and

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acupuncture and how they interface with the use of pharmaceuticals. The licensure of naturopathic physicians would allow the public and health care professionals to identify highly qualified, professional experts in our communities who can provide expertise in the use of CAM modalities (Attachment 7).

Jeanne Drisko, M.D., University of Kansas Medical Center, Program in Integrative Medicine, testified as a proponent to **SB 610**. The time has come to acknowledge and license naturopathic doctors. This is a trend, not a fad. It is necessary to protect consumers of these services and products from unscrupulous and untrained providers. Licensing would be a start. Naturopathic doctors attend a four year medical school after obtaining a degree from a recognized college with prerequisites in sciences. First years of Naturopathic Medical School are in core curriculum such as physiology, anatomy, biochemistry, and pharmacology. This is coupled with training in natural products such as medicinal plants, vitamins, minerals, and other therapies such as acupuncture. Naturopathic doctors are trained in the use and administration of medicinal plants, vitamins, and minerals (Attachment 8).

Charles Magruder, M.D., MPH, Director/Health Officer, Sedgwick County Health Department, supported **SB 610**, as there was an increased demand for alternative medical services and it has become apparent that many in the community may be more willing to seek needed preventive and medical care if appropriate cultural contexts were available. It is clear that many citizens desire greater choice and availability of health care services (Attachment 9).

The Chairperson said written testimony was distributed from David C. Matteson, Director of Public Affairs, Bastyr University (Attachment 10), Steven J. Gould, D.C.D.A.C.B.R. (Attachment 11) and Dr. Richard L. Sarnat, President, Alternative Medicine Integration (Attachment 12).

The Chairperson closed the hearing on **SB 610** for proponents and stated hearings for opponents would be held April 2. The meeting adjourned at 3:10 p.m.

